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15 Attorneys for Plaintiff
16 JOBY, INC.

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

15 JOBY, INC.,

16 Plaintiff,

17 v.

18 TOCAD AMERICA, INC.,

19 Defendant.

Case No. 3:07-CV-06455 (SI)

**DECLARATION OF VIRGINIA K.
DEMARCHI IN SUPPORT OF JOBY,
INC.'S REQUEST FOR JUDICIAL
NOTICE AND MOTION TO DISMISS**

Date: June 6, 2008
Time: 9:00 a.m.
Courtroom: 10, 19th Floor
The Honorable Susan Illston

21
22 I, Virginia K. DeMarchi, hereby declare:

23 1. I am an attorney duly admitted to practice in California and before this Court. I
24 am an attorney at the law firm of Fenwick & West, LLP in Mountain View, California, and have
25 been retained as counsel for Plaintiff Joby, Inc. ("Joby"), in the above-captioned action. Unless
26 otherwise noted, I make this declaration of my own personal knowledge and, if called as a
27 witness, I could and would testify competently to the facts set forth herein.
28

2. Attached as **Exhibit A** is a true and correct copy of the Information Disclosure Statement for Patent Application No. 11/324,994 (Publication No. 20070154254) including JoeBen Bevirt's Declaration dated November 21, 2006, filed by Joby with the U.S. Patent and Trademark Office ("PTO").